

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

v.

Cr. No. 06-20465-18

Hon. Nancy G. Edmunds

D-18 LEONARD “DAD” MOORE,

Defendant.

/

**DEFENDANT’S RESPONSE AND BRIEF IN SUPPORT THEREOF
TO GOVERNMENT’S MOTION IN LIMINE**

NOW COMES the Defendant, Leonard Moore, by and through his attorney, John W. Brusstar, and responds as follows: the government’s motion in limine should be granted and testimony of a 1999 murder confessed to by Daniel Sanchez should not be allowed, and if allowed, evidence concerning Defendant Moore should be ruled inadmissible. In support thereof Mr. Moore states as follows:

1. That the Defendant is charged in the Second Superseding Indictment with: Count One, Conducting or Participation in the Affairs of an Enterprise Through a Pattern of Racketeering Activity, 18 U.S. § 1962(c), 1963(a); Count Thirteen, Conspiracy to Commit Murder in Aid of Racketeering, 18 U.S.C. § 1959(a)(5); and Count Fourteen, Conspiracy to Commit Murder in Aid of Racketeering, 18 U.S.C. § 1959(a)(5).
2. That the Defendant has previously file a motion for severance where it was argued that there is a serious risk that a joint trial would compromise a specific

trial right of one of the defendants See Zafrio v. United States, 506 U.S. 534, 539; 113 S.Ct. 933; 122 L.E2d 317 (1993).

WHEREFORE, Mr. Moore respectfully requests that this Honorable Court enter an Order granting the government's motion in limine, or in the alternative, not allow testimony concerning Defendant Moore.

Respectfully submitted,

s/ John W. Brusstar (P36920)
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Dated: April 4, 2010

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF System which will send notification of such filing to

the following: Assistant U.S. Attorney Christopher Graveline

Assistant U.S. Attorney Diane L. Marion

s/ John W. Brusstar (P36920)
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